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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/596,229	08/21/2006	Grant Chapman Ewan	45669/330298	3785

23370 7590 05/11/2007

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EXAMINER	
GORMAN, DARREN W	
ART UNIT	**PAPER NUMBER**
3752	

MAIL DATE	DELIVERY MODE
05/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/596,229	EWAN, GRANT CHAPMAN	
	Examiner	Art Unit	
	Darren W. Gorman	3752	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 June 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *06/05/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The IDS filed on June 5, 2006 is hereby acknowledged and has been placed of record. Please find attached a signed and initialed copy of the PTO 1449.

Minor Claim Suggestions By Examiner

2. The following changes are recommended to improve clarity of the claims. The claims have been examined on the merits including the suggested changes below.

- In claim 1, on line 3, "between the said zone" should be changed to --between the zone--
- In claim 1, on line 8, "the venture" should be changed to --the low pressure zone--
- In claim 3, on line 2, "in a sense" should be deleted.
- In claim 5, on line 4, "doing liquid" should be changed to --dosing liquid--
- In claim 7, on line 1, "formed in body" should be changed to --formed in a body--

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-4, 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDougall, USPN 3,072,137 in view of Aghnides, USPN 4,534,513.

McDougall shows a dosing device (see Figures 1-3) comprising: a conduit for conveying a pressurized water stream from a first inlet (11) to an outlet; a zone (37) of reduced cross-section between the inlet and the outlet; a passage (40) between the zone and atmosphere; a control valve (42, 43, 44) being operable such that when the water stream is to be dosed with a dosing liquid, the control valve closes the passage such that a low pressure zone is generated in the zone when the water stream flows from the first inlet to the outlet through the zone; and a second inlet (47) through which dosing liquid can be drawn into the low pressure zone to mix with the water stream and form a mixed stream (see column 3, line 55 through column 4, line 28). McDougall further shows the control valve including a push-button (43) being depressible to seat a valve closure (inner portion of button 43; see Figure 2) on a seat (44) to thereby close the passage, the push button being spring loaded (45) to unseat the valve closure from the seat (see column 3, lines 10-22). Still further, McDougall shows the outlet being spanned by a mesh gauze (55). McDougall also shows the first inlet having a threaded connection to a faucet (see Figure 2), and the flow conduit being formed in a body (25) having an outer surface with opposing flat sides (31) which are clearly capable of being engaged by a spanner or similar tool to facilitate threaded connection of the first inlet to the faucet (see Figure 3; and column 2, lines 49-51).

However, McDougall does not expressly disclose including an aerator to introduce air into the stream. It should be noted that faucet outlet mounted aerators are well known in the art for introducing air into a flowing stream in order to promote a softer exiting flow, as desired by the user.

Aghnides (see Figure 2) shows a faucet aerator (208) attached to and concealed within an outlet portion (202) of a faucet (200) for introducing air into a flowing liquid stream, the aerator being placed just upstream of a mesh gauze (236). As would be recognized by one having ordinary skill, the main purpose of the aerator shown by Aghnides is to soften the exiting flow from the faucet, as desired by the user.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include an aerator, such as that shown by Aghnides, just upstream of the mesh gauze shown by McDougall, in order to introduce air into the flowing stream, to thus create a softer exiting flow, as desired by the user.

5. Claims 5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDougall in view of Aghnides, as applied to claim 1 above, and further in view of Walker, USPN 3,485,454.

McDougall, as modified by Aghnides, shows all of the recited limitations as set forth in claim 1, and further, McDougall shows the second inlet including an inlet spigot (50) to which a conduit leading from a source of the dosing liquid can be connected (see Figures 1-3), however McDougall does not expressly include a flow control nozzle which is fitted releasably to the inlet spigot to control the flow of the dosing liquid therethrough and over which the conduit is connected to the spigot. McDougall also does not expressly include a non-return valve for the second inlet.

Walker (see Figure 2) shows a water faucet assembly with a venturi (32) for introducing a dosing liquid to a flowing water stream, including a connection from a source of the dosing

liquid to the venturi, wherein the connection includes an inlet spigot (33) to which a conduit (no reference number, but clearly shown in Figures 1 and 2) leading from the source of the dosing liquid can be connected, and a flow control nozzle (38) which is releasably fitted to the inlet spigot to control the flow of the dosing liquid therethrough and over which the conduit is connected to the spigot (see column 3, lines 32-37). Further, although not shown, Walker expressly teaches that a non-return valve may be provided (see column 3, lines 31-32). As would be recognized by one having ordinary skill, non-return valves are well known for preventing backflow.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the flow control nozzle arrangement as taught by Walker, with the inlet spigot shown by McDougall, in order to provide the user a means to control the flow of dosing liquid to the venturi.

It would also have been obvious to one having ordinary skill in the art at the time the invention was made to provide a non-return valve, as taught by Walker, in the second inlet of the device shown by McDougall, in order to prevent backflow to the dosing liquid supply conduit, as is well known in the art.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patents to Goodrie, Bricker et al., and Poe, each show devices, which selectively aspirate a dosing liquid into a flowing water stream.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darren W. Gorman whose telephone number is 571-272-4901. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Shaver can be reached on 571-272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Darren W Gorman
Examiner
Art Unit 3752

5/8/07
DWG
May 8, 2007